

CHESTERFIELD TOWNSHIP REGULAR SESSION SEPTEMBER 26, 2024

The Township Committee met on the above date in the Municipal Complex, 295 Bordentown-Chesterfield Road, Chesterfield, New Jersey. There were some technical issues and the virtual platform was not working. The meeting was called to order by Mayor Matt Litt at 7:15 p.m.

The Open Public Meetings Act Statement was read and compliance noted.

ROLL CALL OF MEMBERS

Present: Belinda Blazic, Shreekant Dhopte, Rebecca Hughes, Denise Koetas-Dale and Matt Litt

Also present: George Jackson, Administrator; Caryn M. Hoyer, Township Clerk; Rachel Fryc, Deputy Clerk; Dominic P. DiYanni, Township Attorney; Joe Hirsh, Township Engineer; Michael Davison, Chief of Police, Troy Ulshafer, Public Works Manager and Leah Fury Bruder, Planner

AGENDA MATTER(S) REQUIRING RECUSAL(S) – None

APPROVAL OF MINUTES

Mr. Dhopte made a motion seconded by Ms. Blazic to approve the August 22nd regular session meeting. All were in favor except Mr. Litt who abstained.

TWP PLANNER PRESENTATION

Special Occasion Events:

Ms. Fury-Bruder gave an overview of the Special Occasion Events (SOE) Law. The SOE law pertains to preserved farms only. The SOE is not covered under Right to Farm. The SOE would be for things such as weddings, social event, milestones, etc. A Tent can be put up for the event but must be removed after the event. The event cannot be more than 10 percent of 10 acres, whichever is less. The number of events and attendees are limited as well. The municipality has a role in this. The town is the easement holder for the TDR preserved farms. Since the new law was adopted in 2023 there have only been 2 applications in Burlington County. The townships role will be to review for public safety and traffic. The rules have not been adopted by the SADC so the towns are on their own at this point. She is working with the township attorney on drafting an ordinance to address these events. The idea is to allow them as a conditional use. They would only be permitted when the meet all the conditions. She recommend administrative approvals for events up to a certain size and anything over would be for Township Committee review. Mr. DiYanni stated the ordinance reflects the legislation and specific requirements for Chesterfield's internal review. An application fee of \$50 and a 90 day limit to approve or deny the application. The Planning Board attorney has review and should have a finalized draft in a couple weeks. Whether a property was preserved through TDR or Burlington County Farmland Preservation, they will need to get approval from Chesterfield; however, farms preserved through Burlington County will need approval from the County Ag Board. Brian Wilson was present from Burlington County and stated

the farms must be in compliance with their deed restriction. Most farmers know that they have to go to the town for a variance to allow the SOE. If the ordinance goes through, the farms would avoid the variance as it would be a conditional use. Mr. Wilson stated the currently use the state application. Ms. Hughes is concerned the SADC will go through the regulatory requirements and then we will have to change our ordinance. Ms. Fury-Bruder stated we can send to SADC for their review. She stated that Shamong already has an ordinance but that was on the books before the regulations on SOE were adopted.

Affordable Housing:

Leah reviewed the affordable housing round 4 timeline. She stated the new legislation does not address the planning in Chesterfield to preserve farmland and develop in a central area. The new number will be based on a valuation of vacant land, income and non-residential growth. She anticipate we will need to do some valuation of our own and explain Chesterfield's unique situation. She recommends forming an Affordable Housing Sub Committee to consist of two Township Committee members, the Township Administrator, Clerk, the Planner and Solicitor. There is a requirement to accept or reject the numbers in January. Mr. Dhopte would like to be part of the subcommittee. Lean stated that senior housing can be up to 25% and group homes, the same. Mr. DiYanni stated there is a lawsuit against the timeline and may push back some dates but he recommends moving forward. The methodology is going to be challenged. The NJLOM is supportive of the change in the method to actual number of residents. Mayor Litt stated he received a letter asking the Township to join in on the lawsuit.

Burlington Co. Farmland Preservation Acquisition Target List

Brian Wilson stated the County sent the target list to the Township Committee. The County needs a response by November 1st regarding the list. The County will then send out letters in January to all land owners on the list inviting them to apply for farmland preservation. The Township would have a cost share of 5%. The Township Committee stated they are in support of the list. Ms. Fury-Bruder stated she is evaluating TDR and there two developments coming along. With one large parcel left it makes sense to get the traditional farmland preservation going again. Mr. Wilson stated it is in the appraisal stage. The County has not made any offer yet and anticipates doing so in early 2025. Mr. Wilson stated that the first farms preserved in New Jersey were in Chesterfield Township. Chesterfield also leads New Jersey in the percentage of land base preserved.

PUBLIC COMMENTS PERTAINING TO MATTERS ON THE AGENDA

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to open the meeting to public comment for matters on the agenda. All were in favor.

John Harkenrider, 171 Recklesstown Way requested that the Cricket Team play no earlier than 9am on weekends. He said the Cricket field is 20 feet from his backyard and they start as early as 7 am on weekends and suggested that the field get relocated to another area in town. His family would like to enjoy peace and quiet on their weekends. He commends the cricket players for their enthusiasm but would like it to be no earlier than 9 am and respectfully requested the Township Committee to provide the tree cover. Mr. Harkenrider also asked that the Township Committee use some of the \$30,000.00 that is allocated for the

new Cricket Dugouts to be used towards tree plantings between his property and the cricket field. He stated there are trees along all the home that abut the cricket field except where some were removed behind his property.

Summit Singhal, 7 Bullock Way representing the Cricket Club stated that they have played from 7am to noon on weekends for the past 5 years with no complaints. He stated they start early because of the afternoon heat. He stated it is not practical to move the location. He understands the concerns and will be more mindful of the noise going forward. He stated that 171 Recklesstown is the only home that does not have as many tree hind their home. Mr. Singhal suggesting planting more trees in the area.

Hearing no further comments, Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to close public comment. All were in favor.

RESOLUTIONS

Ms. Blazic made a motion seconded by Mr. Dhopte to approve Resolutions 2024-9-1 and 9-2. Voice vote - All were in favor

RESOLUTION 2024-9-1 RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT FOR 88 HARNESS WAY KNOW AS BLOCK 206.200 LOT 4

RESOLUTION 2024-9-2 RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT FOR 52 SADDLE WAY KNOWN AS BLOCK 202.105 LOT 11

Mr. Dhopte made a motion seconded by Ms. Blazic to approve Resolutions 2024-9-3. Voice vote - All were in favor

RESOLUTION 2024-9-3 RESOLUTION TO CANCEL TAXES DUE TO VETERAN EXEMPTION FOR 45 WHITE PINE ROAD KNOW AS BLOCK 600 LOT 40

Mr. Dhopte made a motion seconded by Ms. Blazic to approve Resolutions 2024-9-4. Voice vote - All were in favor

RESOLUTION 2024-9-4 RESOLUTION ASSIGNING BUDGET ACCOUNTS RELATED TO EMPLOYEE SALARIES AS OUTLINED IN SALARY ORDINANCES #2024-17 & 2024-18

Ms. Blazic made a motion seconded by Mr. Dhopte to approve Resolutions 2024-9-5. Voice vote - All were in favor except Ms. Hughes abstained.

RESOLUTION 2024-9-5 RESOLUTION ADOPTING OPEN PUBLIC RECORDS ACT (OPRA) FORM ESTABLISHED BY GOVERNMENT RECORDS COUNCIL (GRC)

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve Resolutions 2024-9-6. Voice vote - All were in favor.

RESOLUTION 2024-9-6 RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATIONS – SPELLBOUND COMMUNITY GIVING CORP – POLICE EXPENSES

Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve Resolutions 2024-9-7. Voice vote - All were in favor.

RESOLUTION 2024-9-7 RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWNSHIP OF CHESTERFIELD AND SEWA INTERNATIONAL IN REGARDS TO THE 9/11 MEMORIAL

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to add Resolution 2024-9-8. Voice vote – All were in favor. Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve Resolutions 2024-9-8. Voice vote - All were in favor.

RESOLUTION 2024-9-8 RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DEPARTMENT OF LAW AND PUBLIC SAFETY OFFICE OF THE ATTORNEY GENERAL

ORDINANCE FOR PUBLIC HEARING AND ADOPTION

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to open the meeting to public comment on Ordinance 2024-13. All were in favor. Hearing none, Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to close public comment. All were in favor. Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to adopt Ordinance 2024-13. Voice vote - All were in favor.

ORDINANCE 2024-13 AN ORDINANCE AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE WITH THE ADDITION OF CHAPTER 174 ENTITLED “TREE REMOVAL REPLACEMENT”

Mr. Dhopte made a motion seconded by Ms. Blazic to open the meeting to public comment on Ordinance 2024-19. All were in favor. Hearing none, Mr. Dhopte made a motion seconded by Ms. Blazic to close public comment. All were in favor. Mr. Dhopte made a motion seconded by Ms. Blazic to adopt Ordinance 2024-18. Voice vote - All were in favor.

ORDINANCE 2024-19 A CAPITAL ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD AUTHORIZING THE APPROPRIATION OF \$50,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR CONSTRUCTION DEPARTMENT VEHICLE

BILL LIST

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve the bill list.
Voice vote – All in favor.

REPORTS & DISCUSSION

A. Engineer Report:

Stormwater Compliance – Township adding Infrastructure map to website along with final Tree Ordinance.

NJ DOT Municipal Aid FY2024 - Margerum Road – Finalizing Construction Plans and working with utilities for relocation of hydrants and utility poles.

2023-Local Recreation Improvement Grant - Fenton Lane Parking Lot
Contractor indicated construction to start on Monday.

2024-Local Recreation Improvement Grant – Plans and specification are ready to go, will be published next week.

Dugout at Cricket Pitch – Concrete to start within 2 weeks, awaiting dugout delivery date.

Emergency Generators at Pump Stations 1 and 2 – PSE&E has approved construction permits and will be installing gas service to PS#1 shortly. Generator arrival anticipated mid-February.

Public Works Site Evaluation – Concept plan shared with Township Committee. There were questioned asked about New Bold Lane and vacating the road between the DPW site and Chesterfield-Georgetown Road. The Township Committee asked to have a larger scale map and potential costs.

B. Harvest Festival:

Ms. Fryc reported that everything is ready for the Harvest Festival on Saturday, September 28th and is hoping for good weather. Ms. Koetas-Dale asked if we have a rain date and who determines that. Ms. Fryc replied that she works with Mr. Ulshafer to determine if they should change the date based on the weather. As of now they are going with Saturday since most of the DPW, Police and Township Employees are not available on Sunday. This is the same for the 100 plus vendors, band and volunteers.

C. Cricket Pitch:

Ms. Hoyer suggested planting trees to help buffer sound. Ms. Hughes stated that the Township needs to address the situation. Troy stated that the area has a drainage easement, trees have died that were planted there and that is why there are bare spots. Evergreens will not live in this area

it will have to be a deciduous tree and that will not help with buffer. Troy will evaluate the site and reach out to Larry Kuser for tree suggestions.

D. Policy for Resignation/Vacancy on all Boards/Commissions:

Mayor Litt asked Mr. DiYanni to work on both of these documents and put something in place. Ms. Hughes asked for a page on the new website regarding this. Mr. DiYanni agreed to have something for the Township Committee at the next meeting.

E. Fee Ordinance Amendments:

Mr. Jackson said there are several fees that are being discussed in this ordinance.

- **Community Garden Fees** – These fees have been approved by the Township Committee.
- **Construction Dept. Fees** – These fees have not been touched since 2010. The increase is minor and will keep us in line with other municipalities.
- **Parks & Recreation Fees** – These fees have never been changed since their inception in 2017. Based on other towns with similar recreation buildings and fields we are charging half of what other towns are charging. Increasing these fees would put us in line with the other municipalities.

Mr. Dhopte suggested increasing recreation space instead of increasing recreation fees. He suggested building another recreation building. There was a lot of discussion. Mr. Dhopte, Ms. Hughes and Ms. Koetas-Dale do not agree to increase these fees. Mayor Litt and Ms. Blazic believe that if the recreation fees need to be increased it should be on the people that are using the facilities not passed onto the taxpayers that are not using them. Mayor Litt suggested a gradual increase in fees. The Township Committee requested Mr. Jackson to get a cost analysis together of all recreation for the next meeting at the request of the Township Committee.

F. Public Works Manager Memo-Additional Employees:

Mr. Ulshafer is asking to hire (2) additional DPW employees in place of using our outside landscapers that take care of Old York Village. Mayor Litt asked if we can get out of the contract since it is based on (3) years. Ms. Hoyer replied yes by choosing not to renew the contract. Ms. Koetas-Dale asked Troy what additional equipment the Township will need to purchase in order to transition to handling this in house. He stated 2 mowers, 2 staff members and 1 truck. Mayor Litt agrees we should advertise for (2) DPW employees.

G. Public Works Manager Memo-Capital Purchases:

Mr. Ulshafer stated that the DPW is looking to purchase equipment drafted in a memo to the Township Committee and would need to do so by a Bond Ordinance. The Clerk advised the Township Committee these items should already be on the capital budget and that the bond ordinance would

appropriate the funds. Ms. Koetas-Dale asked for an explanation from the Ms. Wulstein, CFO on the cost implications before proceeding.

H. Historical Preservation Commission-Belinda Blazic:

Ms. Blazic she that at a recent Township Committee meeting it was stated by a resident in public comment that a member of the HPC was laughing and making fun of a home at one of the HPC meetings. Ms. Blazic listened to that recording of the HPC meeting and was very upset after listening to it stating that the HPC member was very rude. She listened to the recordings of those meetings and read her notes. She stated the HPC was out of line and their lack of respect continues this is what creates division in this community. She recommends disbanding the HPC and resident go directly to the Planning Board which will allow for consistency and more efficiency. Ms. Koetas-Dale stated these are volunteer people who spend a lot of time volunteering. She does not think it is appropriate to discuss without them present to explain their actions to the Township Committee. She recommends the HPC meet with the Township Committee.

ADMINISTRATION:

MAYOR:

Mayor Litt stated we are currently working on making changes to the HPC ordinance. He reported that he and Mr. Jackson met with the Don and Lauren Czehut and a couple others at their request. They went over items that they believe Crosswicks needs that has been going unnoticed for some time. He stated that he was grateful they took the time to share Crosswicks through their eyes. He came away from the meeting with two main things. The Township Committee need to pay more attention to the needs of Crosswicks and the need to focus on Crosswicks through a volunteer or subcommittee to consider things such curbs, sidewalks, traffic, baseball field, etc.

PUBLIC COMMENT

Ms. Hughes made a motion seconded by Ms. Koetas-Dale to open the meeting to public comment. All were in favor.

Srinivasa Yadlapalli, 150 Preservation Blvd opposes any rec fee increase for the recreation building and said that Team 85 will cost less.

Vikrant Patel, 32 Colemantown Rd said that the recreation building is also used by Robotics, Yoga and volleyball and he opposes the fee increase.

Phillip Ng, 8 Canter Place opposes the fee increase for the recreation building.

Lakshmi Nelluri, 140 Preservation Blvd. is against raising the fee for the recreation building and why they need to raise. He also asked to have trees put back near the Cricket Pitch and in front of his home as well.

Steve Hazen, 447 Main Street agreed that the recreation fees should be looked at to see if the increase is justified. He asked if the Township is going to help someone put Hardy Plank on their home because of the increased cost. He stated that restrictions were put on resident without asking the residents. The division has been created by the Township Committee and the volunteers have been put in an unfair position.

Susie Mahon, 16 Chesterfield-Crosswicks Rd. said the sidewalks in Crosswicks need to be fixed and asks Township to reach out to Burlington County regarding a tree that needs to come down in the County right of way because the homeowner cannot cut down. She stated that speeding is still an issue in Crosswicks. An Increase to the fees impacts the kids and families. If there is no impact on the costs then no need to increase. She stated she wants the HPC volunteers to be fair to the residents.

Molly Hazen, 447 Main Street thanked Ms. Blazic for bringing the issue to light. She stated they were not told they would have a 17 page law for their home. Then developed 86 pages we have to follow. Her house has vinyl siding. Can they replace with vinyl or will they have to do hardy plank. The cost to replace windows according to the HPC requirements would not be feasible. She understands that we don't want modern changes.

Hearing no further public comment, Mr. Dhopte made a motion seconded by Ms. Blazic to close public comment. All were in favor.

COMMENTS FROM THE COMMITTEE

The Township Committee had no comments.

Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve Resolution 2024-9-9 to go into closed session to discuss matters pertaining to personnel at 10:02 pm. All were in favor.

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to return to regular session at 10:35 PM.

Ms. Koetas-Dale made a motion seconded by Ms. Blazic to adjourn the meeting at 10:35 PM. All were in favor.

Respectfully submitted,

Caryn M. Hoyer, RMC
Township Clerk